

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: Connecticut

OFFICIAL

REQUIREMENTS FOR ADVANCE DIRECTIVES UNDER STATE PLANS  
FOR MEDICAL ASSISTANCE

The following is a written description of the law of the State (whether statutory or as recognized by the courts of the State) concerning advance directives. If applicable States should include definitions of living will, durable power of attorney for health care, durable power of attorney, witness requirements, special State limitations on living will declarations, proxy designation, process information and State forms, and identify whether State law allows for a health care provider or agent of the provider to object to the implementation of advance directives on the basis of conscience.

Based upon State statute, a living will is a document that states whether you wish to have administered life sustaining procedures or treatment should you be in a terminal condition or permanently unconscious. A living will goes into effect only (1) when you are unable to make or communicate your decisions about your medical care and (2) when you are in a terminal condition or permanently unconscious.

Durable power of attorney for health care decisions is a document in which a person is named to make medical decisions other than withdrawal of life support systems should the patient become unable to make or communicate such decisions. This person may make decisions about any area of medical treatment except: (1) withdrawal of life support systems; (2) withdrawal of food and fluids; and (3) medical treatment designed solely to maintain physical comfort.

A health care agent is a person who is authorized in writing to convey a patient's wishes with regard to withholding or withdrawal of life support systems. The health care agent does not become involved in any other area of medical decision making. Advance directives must be signed in front of two witnesses to be valid. Witnesses must sign the form.

A physician or other health care provider who objects to complying with the wishes of the patient with regard to advance directives must, as promptly as possible, transfer care of the patient to a provider who is willing to comply.

A written summary of the Federal and State provisions regarding patient's rights regarding advance directives has been prepared by our Office of the Attorney General and distributed by DIM to all health care providers required to comply under the law. Sample forms are included in the summary.

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